

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FILED

SAN JOSE DIVISION

JAN 11 2024

THE UNITED STATES OF AMERICA

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE OFFICE

VS

EDWARD TELLES SOLIS

CR - 22 - 00288 - EJD

SUPERSEDING INDICTMENT

COUNT ONE: 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with
Intent to Distribute Fentanyl

COUNT TWO: 18 U.S.C. § 922(g)(1) – Felon in Possession of a
Firearm and Ammunition

COUNT THREE: 18 U.S.C. § 924(c)(1) – Possession of a Firearm in
Furtherance of a Drug Trafficking Crime

COUNT FOUR: 21 U.S.C. § 843(c)(2)(A) – Advertisement of a
Controlled Substance on the Internet

COUNT FIVE: 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of
Fentanyl

A true bill.

Foreperson

Filed in open court this 11 day of January A.D. 2024

Virginia T. DeMaurio

United States Magistrate Judge

Bail. \$ No process

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

FILED

JAN 10 2024

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
SAN JOSE OFFICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD TELLES SOLIS,

Defendant.

CASE NO. CR 22-00288 EJD

VIOLATIONS:

21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with
Intent to Distribute Fentanyl;
18 U.S.C. § 922(g)(1) – Felon in Possession of a
Firearm and Ammunition;
18 U.S.C. § 924(c)(1) – Possession of a Firearm in
Furtherance of a Drug Trafficking Crime;
21 U.S.C. § 843(c)(2)(A) – Advertisement of a
Controlled Substance on the Internet;
21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of
Fentanyl;
21 U.S.C. § 853(a), 18 U.S.C. § 924(d), and
28 U.S.C. § 2461(c) – Forfeiture Allegation

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
Fentanyl)

On or about May 5, 2022, in the Northern District of California, the defendant,

EDWARD TELLES SOLIS,

did knowingly and intentionally possess with intent to distribute a mixture and substance containing a
detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (otherwise known as

INDICTMENT

fentanyl), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition)

On or about May 5, 2022, in the Northern District of California, the defendant,

EDWARD TELLES SOLIS,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, namely, one Charter Arms Undercover 38 Special revolver bearing serial number 15-13757, and loaded with two rounds of .38 caliber ammunition, and ammunition, namely, 29 rounds of .40 caliber Hornady American Gunner brand ammunition and 60 rounds of .40 caliber Fiocchi brand ammunition, and the firearm and ammunition were in and affecting interstate and foreign commerce, all in violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE: (18 U.S.C. § 924(c)(1) – Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about May 5, 2022, in the Northern District of California, the defendant,

EDWARD TELLES SOLIS,

did knowingly possess a firearm, that is, a Charter Arms Undercover 38 Special revolver bearing serial number 15-13757, in furtherance of the drug trafficking crime charged in Count One of this Indictment, all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FOUR: (21 U.S.C. § 843(c)(2)(A) – Advertisement of a Controlled Substance on the Internet)

From in or about December 2021 to in or about April 2022, in the Northern District of California, the defendant,

EDWARD TELLES SOLIS,

did knowingly and intentionally use the Internet to advertise the sale of and to offer to sell, distribute, and dispense a controlled substance, all in violation of Title 21, United States Code, Section 843(c)(2)(A).

COUNT FIVE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of Fentanyl)

On or about March 4, 2022, in the Northern District of California, the defendant,

EDWARD TELLES SOLIS,

1 did knowingly and intentionally distribute a mixture and substance containing a detectable amount of
 2 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (otherwise known as fentanyl), a Schedule
 3 II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

4 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a), 18 U.S.C. § 924(d), and 28 U.S.C. § 2461(c))

5 The allegations contained above are hereby re-alleged and incorporated by reference for the
 6 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a), Title 18, United
 7 States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

8 Upon conviction of the offenses alleged in Counts One, Four, and Five above, the defendant,

9 EDWARD TELLES SOLIS,

10 shall forfeit to the United States all right, title, and interest in any property constituting and derived from
 11 any proceeds defendant obtained, directly or indirectly, as a result of such violations, and any property
 12 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such
 13 violations, including but not limited to a forfeiture money judgment and the following property:

- 14 a. \$17,243.00 cash seized from the trunk of a black Mercedes-Benz E63 AMG sedan
 15 bearing California license plate #8RLG065 on May 5, 2022;
- 16 b. One Charter Arms Undercover 38 Special revolver bearing serial number
 17 15-13757, and the two rounds of ammunition loaded therein;
- 18 c. All ammunition and magazines seized from the truck of a black Mercedes-Benz
 19 E63 AMG sedan bearing California license plate #8RLG065 on May 5, 2022;
- 20 d. \$98,246.00 cash seized from the residence of 3097 Nicklas Lane, Apt. 2, Marina,
 21 California on May 5, 2022;
- 22 e. One gold Samsung cellular phone with gold phone case (IMEI 356164074419015);
- 23 f. One red iPhone with black Otterbox phone case (no visible IMEI);
- 24 g. One black Samsung cellular phone (no visible IMEI);
- 25 h. One black Samsung cellular phone with grey phone case (IMEI 35489706496678);
 26 and
- 27 i. One grey Samsung cellular phone with black phone case (IMEI
 28 355257072438473).

1 Upon conviction of the offenses set forth in Counts Two and Three, the defendant,
 2 EDWARD TELLES SOLIS,
 3 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28,
 4 United States Code, Section 2461(c), any firearm and ammunition involved in the commission of the
 5 offenses, including, but not limited to, the following items seized from a black Mercedes-Benz E63 AMG
 6 sedan bearing California license plate #8RLG065 on May 5, 2022:

- 7 a. One Charter Arms Undercover 38 Special revolver bearing serial number
- 8 15-13757, and the two rounds of ammunition loaded therein; and
- 9 b. All ammunition and magazines located in the trunk of the vehicle.

10 If any of the property described above, as a result of any act or omission of the defendant:

- 11 a. cannot be located upon exercise of due diligence;
- 12 b. has been transferred or sold to, or deposited with, a third party;
- 13 c. has been placed beyond the jurisdiction of the court;
- 14 d. has been substantially diminished in value; or
- 15 e. has been commingled with other property which cannot be divided without
- 16 difficulty,

17 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
 18 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

19 All pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section
 20 924(d), Title 28, United States Code, Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

21 DATED: January 11, 2024

A TRUE BILL.

22
 23 /s/
 FOREPERSON
 San Jose

24
 25 ISMAIL J. RAMSEY
 United States Attorney

26
 27 /s/ Dan M. Karmel
 DAN M. KARMEL
 28 Assistant United States Attorney

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING

OFFENSE CHARGED

COUNT ONE: 21 U.S.C. § 841(a)(1) and (b)(1)(C)

COUNT TWO: 18 U.S.C. § 922(g)(1)

COUNT THREE: 18 U.S.C. § 924(c)(1)

COUNT FOUR: 21 U.S.C. § 843(c)(2)(A)

COUNT FIVE: 21 U.S.C. § 841(a)(1) and (b)(1)(C)

Forfeiture Allegation: 21 U.S.C. § 853(a), 18 U.S.C. § 924(d),
and 28 U.S.C. § 2461(c)☐ Petty☐ Minor☐ Misdemeanor☒ Felony**PENALTY:**

See attached

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

EDWARD TELLES SOLIS

DISTRICT COURT NUMBER

CR 22-288 EJD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court,
give name of court☐ this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on motion
of.☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a
pending case involving this same
defendantMAGISTRATE
CASE NO.☒ prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

22-mj-70599

Name and Office of Person

Furnishing Information on this form Ismail J. Ramsey

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Dan M. Karmel, AUSA

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior
summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☒ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes
been filed? ☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**Month/Day/Year
May 5, 2022

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or
warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

**Superseding Indictment
Attachment to Penalty Sheet - TELLES SOLIS**

Count One: 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Fentanyl

Maximum prison sentence	20 years
Maximum fine	\$1,000,000
Minimum term of supervised release	3 years
Maximum term of supervised release	Life
Mandatory special assessment	\$100
Forfeiture	
Denial of federal benefits	

Count Two: 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition

Maximum prison sentence	10 years
Maximum fine	\$250,000
Maximum term of supervised release	3 years
Mandatory special assessment	\$100
Forfeiture	

Count Three: 18 U.S.C. § 924(c)(1) – Possession of a Firearm in Furtherance of a Drug Trafficking Crime

Mandatory minimum prison sentence	5 years, consecutive
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Count Four: 21 U.S.C. § 843(c)(2)(A) – Advertisement of a Controlled Substance on the Internet

Maximum prison sentence	4 years
Maximum fine	\$250,000
Maximum term of supervised release	3 years
Mandatory special assessment	\$100
Forfeiture	

Count Five: 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of Fentanyl

Maximum prison sentence	20 years
Maximum fine	\$1,000,000
Minimum term of supervised release	3 years
Maximum term of supervised release	Life
Mandatory special assessment	\$100
Forfeiture	
Denial of federal benefits	